CHAPTER 51: SEWER SERVICE AND REGULATIONS

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GENERAL PROVISIONS

§ 51.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ASTM. The American Society for Testing Materials.

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter.

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal, also called house connection or service connection.

CITY. The area within the corporate boundaries of the City of Byron as presently established or as amended by ordinance or other legal actions at a future time. The term ***CITY*** when used herein may also be used to refer to the City Council and its authorized representatives.

COMBINED SEWER. A sewer intended to serve as a sanitary sewer and a storm sewer or as an industrial sewer and a storm sewer.

DOMESTIC or ***SANITARY WASTE.*** Wastewater that is primarily produced by residential users with BOD concentration less than 225 milligrams per liter as distinct from industrial waste and the characteristics as stated in the definition for ***WATERCOURSE.***

EASEMENT. An acquired legal right for the specific use of land owned by others.

FLOATABLE OIL. Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. All wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE. The animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

INCOMPATIBLE WASTE. Waste that either singly or by interaction with other wastes interferes with any waste treatment process, constitutes a hazard to humans or animals, creates a public nuisance or creates any hazard in the receiving waters of the wastewater treatment works.

INDUSTRIAL USERS or *INDUSTRIES.*

(1) Entities that discharge into a publicly owned wastewater treatment works, liquid wastes resulting from the process employed in industrial or manufacturing processes or from the development of any natural resources are identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions.

(a) Division A: Agriculture, Forestry and Fishing;

(b) Division B: Mining;

(c) Division D: Manufacturing;

(d) Division E: Transportation, Communications, Electric, Gas and Sanitary Sewers;

(e) Division I: Services.

(2) For the purpose of this definition, domestic or sanitary waste shall be considered to have the following characteristics: BOD_5, less than 225 mg/l; suspended solids, less than 215 mg/l.

(3) Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction with other wastes to contaminate the sludge of any municipal systems or to injure or to interfere with any sewage treatment process or which constitutes a hazard to humans or animals, creates a public nuisance or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment facilities.

INDUSTRIAL WASTES. Wastewater discharged by industry that includes solid, liquid or gaseous waste resulting from the industrial or manufacturing process, trade or business or from the development, recovery or processing of natural resources.

INTERCEPTOR SEWER. A sewer whose primary purpose is to transport wastewaters from collector sewers to a treatment facility.

MAY. Permissive.

NATURAL OUTLET. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

NPDES PERMIT (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT). The system for issuing, conditioning and denying permits for the discharge of pollutants

from point sources into the navigable waters, the contiguous zone and the oceans by the Environmental Protection Agency pursuant to the Federal Water Pollution Control Act of 1972, Sections 402 and 405.

PERSON. Any individual, firm, company, association, society, corporation or group.

pH. The reciprocal of the logarithm of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^n (where $^n = 7$).

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch (1.27 centimeters) in any dimension.

PUBLIC SEWER. A common sewer controlled by the city.

RESIDENTIAL, COMMERCIAL AND INSTITUTIONAL/GOVERNMENTAL USERS. All non-industrial users.

SANITARY SEWER. A sewer intended to carry only sanitary or sanitary and industrial wastewater from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

SEWAGE. The spent water of a community. The preferred term is *WASTEWATER.*

SEWER. A pipe or conduit that carries wastewater or drainage water.

SHALL. Mandatory.

SLUG. Any discharge of water or wastewater which in concentration of any given constituent or quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the water reclamation plant.

STORM DRAIN (sometimes termed *STORM SEWER*). A drain or sewer intended to carry storm waters, surface runoff, groundwater, sub-surface water, street wash water, drainage and unpolluted water from any source.

SUPERINTENDENT. The Utilities Superintendent or his or her authorized deputy, agent or representative.

SUSPENDED SOLIDS. Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as non-filterable residue.

UNPOLLUTED WATER. Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

WASTEWATER. The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

WASTEWATER FACILITIES. The structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS or *TREATMENT WORKS.* An arrangement of devices and structures for treatment of wastewater, industrial waste and sludge. Sometimes used as synonymous for *WASTEWATER TREATMENT PLANT* or *WASTE TREATMENT PLANT* or *WATER POLLUTION CONTROL PLANT* or *SEWAGE TREATMENT PLANT.*

WATERCOURSE. A natural or artificial channel for the passage of water either continuously or intermittently.

WPCF. The Water Pollution Control Federation.
(Ord. 144, passed 12-18-96)

§ 51.02 CONTROL BY THE UTILITIES SUPERINTENDENT.

The Utilities Superintendent shall have control and general supervision of all public sewers and service connections in the city and shall be responsible for administering the provisions of this chapter to the end that a proper and efficient public sewer system is maintained.
(Ord. 144, passed 12-18-96)

§ 51.03 POWERS AND AUTHORITY OF INSPECTORS.

(A) The Superintendent or other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observations, measurements, sampling and testing pertinent to discharge to the community system in accordance with

the provisions of this chapter. If entry to the property is refused, the employee is authorized to obtain an administrative search warrant to enter the property. Refusal to permit an employee to enter private property may result in the immediate discontinuation of service sewer and water service.

(B) The Superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

(C) While performing the necessary work on private properties, the Superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 51.23(H).

(D) The Superintendent or other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
(Ord. 144, passed 12-18-96)

§ 51.04 USER RATE SCHEDULE OF CHARGES.

Maximum sewer charge for single-family dwellings. The sewer charges are calculated from the water measured by the water meter. The maximum amount billed for sewer charges for any single-family dwelling will be 12,000 gallons per month. Commercial, industrial, institutional and multi-family units do not have a maximum charge for sewer. Multi-family units that are metered separately are exceptions to this rule.
(Ord. 144, passed 12-18-96; Am. Ord. 97-03, passed 5-8-97; Am. Ord. 03-09, passed 11-26-03; Am. Ord. passed 7-13-05)

REGULATIONS

§ 51.20 USE OF PUBLIC SEWER REQUIRED.

(A) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage or objectionable waste.

(B) It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(C) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.
(Ord. 144, passed 12-18-96) Penalty, see § 51.99

§ 51.21 PRIVATE WASTEWATER DISPOSAL.

(A) Where a public sanitary sewer is not available, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this chapter.

(B) Before commencing construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the city. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the city.

(C) A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the city or its representative. The city or its representative shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the

permit shall notify the city when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the city.

(D) The type, capacities, location and layout of a private wastewater disposal system shall comply with Minn. Rule, chapter 7080, as it may be amended from time to time. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 40,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(E) At such time as a public sewer becomes available to a property serviced by a private wastewater disposal system, a direct connection shall be made to the public sewer within 60 days in compliance with this chapter and within 5 days any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge. The bottom shall be broken to permit drainage and the tank or pit filled with suitable material.

(F) The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the city.

(G) No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the Department of Health or the Pollution Control Agency of the State of Minnesota.
(Ord. 144, passed 12-18-96)

§ 51.22 BUILDING SEWERS AND CONNECTIONS.

(A) No authorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city.

(B) Applications for permits shall be made by the owner or authorized agent and the party employed to do the work and shall state the location, name of owner, street number of building to be connected and how occupied. No person shall extend any private drain beyond the limits of the building or property for which the service connection permit has been given. Any person who desires to construct, reconstruct, extend or alter a service connection shall, before beginning work, file with the city a plan showing the whole course of the service connection and all branches, traps and fixtures connected therewith. If the city finds that the plan does not conform to the requirements of this chapter, the city shall not issue a permit for such work.

(C) All costs and expenses incidental to the installation and connection of the building sewer shall be paid by the owner(s). The owner(s) shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(D) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the front building sewer may be extended to the rear building and the whole considered as one building sewer. The city does not have and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

(E) Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Superintendent or his or her representative to meet all requirements of this chapter.

(F) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

(G) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(H) No person(s) shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or indirectly to a public sanitary sewer.

(I) The connection of the building sewer into the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the city or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the city before installation.

(J) The applicant for the building sewer permit shall notify the city when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Superintendent or his or her representative.

(K) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(L) No person shall make a service connection with any public sewer unless regularly licensed under this chapter to perform such work, and no permit shall be granted to any person except such regularly licensed person.

(M) Any person desiring a license to make a service connection with public sewers shall apply in writing to the City Council and furnish the Council satisfactory evidence that the applicant or employer is a person trained or skilled in the business and qualified to receive a license. All applications shall be referred to the Superintendent for recommendation to the Council. If approved by the Council, such license shall be issued by the City Clerk-Treasurer upon the filing of a bond as hereinafter provided.

(N) No license shall be issued to any person until a $1,000 bond to the city approved by the Council is filed in the office of the City Clerk-Treasurer conditioned that the licensee will indemnify and save harmless the city from all suits, accidents and damage that may arise by reason of any opening in any street, alley or public ground made by the licensee or by those in the licensee's employment for any purpose whatever, and that the licensee will replace and restore the street or alley over such opening to as good a state and condition as the licensee found it, keep guard by day and adequate lights by night and keep and maintain the same in good order to the satisfaction of the Superintendent and shall conform in all respects to the rules and regulations of the Council relative thereto and pay all fines that may be imposed on the licensee by law.

(O) The license fee for making service connections is $45 per year. All licenses shall expire on December 31 of the license year unless sooner suspended or revoked by the Council for cause. When a person fails to apply for a license renewal prior to the expiration date thereof, the license fee for the ensuing year shall be $60.

(P) The Council may suspend or revoke any license issued under this chapter for any of the following causes:

(1) Giving false information in connection with the application for a license;

(2) Incompetence of the licensee;

(3) Willful violation of any provisions of this chapter or any rule or regulation pertaining to the making of service connections.

(Q) No person licensed under this chapter shall allow his or her name to be used by any other person, either for the purpose of obtaining permits or doing any work under his or her license; and every licensee shall record in the City Clerk-Treasurer's office his or her place of business, the name under which the business is transacted and shall immediately notify the City Clerk-Treasurer or agents of any change.

(R) Any new connections(s) to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities, including, but not limited to, capacity for flow, BOD and suspended solids.
(Ord. 144, passed 12-18-96)

§ 51.23 USE OF PUBLIC SERVICES.

(A) No person(s) shall discharge or cause to be discharged any water such as stormwater, groundwater, roof runoff, subsurface drainage or cooling water to any sanitary sewer.

(B) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers or to a natural outlet approved by the city and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the city, to a storm sewer or natural outlet. Discharges to a storm sewer or natural outlet may require a National Pollutant Discharge Elimination System (NPDES) permit.

(C) No person(s) shall discharge or cause to be discharged any or the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

(2) Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitutes a hazard to humans or animals, creates a public nuisance or creates any hazard in the receiving waters of the wastewater treatment works;

(3) Any waters or wastes having a pH lower than 5.5 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater facilities and/or wastewater treatment works;

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities, such as, but not limited to, ashes, bones, cinders, sand, mild, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers and the like, either whole or ground by garbage grinders.

(D) The following described substances, materials, water or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either sewers, wastewater treatment works, treatment processes or equipment will not have an adverse effect on the receiving

stream or will not otherwise endanger lives, limb, public property or constitute a nuisance. The Superintendent may set limitations lower than limitations established in the regulations below if in his or her opinion such more severe limitations are necessary to meet the above objectives. In forming his or her opinion as to the acceptability, the Superintendent will give consideration to such factors as the quantity of subject waste in reaction to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment works, the city's NPDES permits and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Superintendent are as follows:

(1) Wastewater having a temperature higher than 150° Fahrenheit (65° Celsius);

(2) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils or products of mineral oil origin;

(3) Wastewater from industrial plants and commercial establishments containing floatable oils, fat or grease;

(4) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purposes of consumption on the premises or when served by caterers;

(5) Any waters or wastes containing lead, chromium, copper, zinc, mercury, boron and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Superintendent for such materials;

(6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Superintendent;

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations;

(8) Quantities of flow, concentrations or both which constitute a slug, as defined herein;

(9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed;

(10) Any waters or wastes containing BOD or suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment works,

except as may be permitted by specific, written agreement with the city which agreement may provide for special charges, payments or provisions of treating and testing equipment.

(E) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in division (D) of this section and which in the judgement of the Superintendent may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the city may:

(1) Reject the wastes;

(2) Require pretreatment to an acceptable condition for discharge to the public sewers;

(3) Require control over the quantities and rates of discharge; and/or

(4) Reference Federal Register, Volume 43, number 123, part IV, section 126, part 403, titled "General Pretreatment Regulations for Existing and New Sources of Pollution," as published by the U.S. Environmental Protection Agency, June 26, 1978, and Federal Guidelines pertaining to pretreatment.

(a) If the city permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the city, in accordance with subsection (5) below.

(b) The city will require payment to cover the added cost of handling the wastes not covered by existing taxes or sewer charges subject to the requirements of 40 CFR 403, in accordance with this section and Minnesota Pollution Control Agency.

(5) No provision contained in this chapter shall be construed to prevent or prohibit a separate or special contract or agreement between the city and any user whereby waste and material of unusual strength, character or composition may be accented by the city for treatment, subject to additional payment therefor by such user; provided, however, that such contract or agreement shall have the prior approval of the Superintendent, and the payments for such services meet the requirements of the city's ordinances establishing the sewer service charge system.

(F) Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in division (D)(3), any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the

owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Superintendent. Any removal and hauling of the collected materials not performed by owner(s)' personnel must be performed by currently licensed waste disposal firms.

(G) Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his or her expense.

(H) When required by the city, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the city. The structure shall be installed by the owner at his or her expense and shall be maintained by him or her so as to be safe and accessible at all times.

(I) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the Superintendent. Reference is made to 40 CFR 136, "Guidelines for Establishing Test Procedures for Analysis of Pollutants" dated October 16, 1973.

(J) Whenever any service connection becomes clogged, obstructed, broken or out of order or detrimental to the use of the public sewer or unfit for the purpose of drainage, the owner or person having charge of the service connection shall repair or cause such work to be done as the Superintendent may direct. Each day after three days that a person neglects or fails to so act shall constitute a separate violation of this section, and the Superintendent may then cause the work to be done and recover from such owner or agent the expense thereof, together with 10% damages, by an action in the name of the city.

(K) No person having charge of any building or other premises which drains into a public sewer shall permit any substance or matter which may form a deposit or obstruction to flow or pass into the public sewer. Within ten days after notice in writing from the city, a person shall install a suitable and sufficient catch basin or waste trap, or if one already exists, clean out, repair or alter the same and perform such other work as the Superintendent may deem necessary to prevent any substance or matter passing into the public sewer which may cause a deposit or obstruction therein. In addition to any penalties that may be imposed for violating this section, if a person refuses or neglects to install a catch basin or waste trap or to clean out, repair or alter the same, if one exists, for a period of five days, the Superintendent may cause such work to be done as deemed necessary at the expense of the owner or person having charge of the premises.

(L) In addition to any penalties that may be imposed for violation of any provision of this chapter, the city may assess against any person the cost of repairing or restoring sewers or associated facilities damaged as a result of the discharge of prohibited wastes by such person and may collect such assessment as an additional charge for the use of the public sewer system or in any other manner deemed appropriate by the city.

(M) The owner or operator of any motor vehicle washing or servicing facility shall provide and maintain in serviceable condition at all times a catch basin or waste trap in the building drain system to prevent grease, oil, dirt or any mineral deposit from entering the public sewer system.

(N) The owner of any property serviced by a building sewer carrying industrial wastes may, at the discretion of the city, be required to provide laboratory measurements, tests and analyses of waters or wastes to illustrate compliance with this chapter and any special condition for discharge established by the city or regulatory agencies having jurisdiction over the discharge. The number, type and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the city. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the city at such times and in such manner as is prescribed by the city. The owner shall bear the expense of all measurements, analyses and reporting required by the city. At such times as deemed necessary, the city reserves the right to take measurements and samples for analysis by an outside laboratory.
(Ord. 144, passed 12-18-96; Am. Ord. passed 7-13-05)

§ 51.24 TAMPERING WITH WASTEWATER FACILITIES PROHIBITED.

No person(s) shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord. 144, passed 12-18-96) Penalty, see § 51.99

DISCHARGING INTO THE SANITARY SEWER SYSTEM

§ 51.35 PURPOSE.

In adopting this subchapter, the City Council finds that the discharge of water from any roof, surface, ground, sump pump, footing tile or swimming pool or other natural precipitation into the city sanitary sewer collection system will and has on numerous occasions in the past flooded and over-loaded the sanitary sewer collection system to such an extent as to cause damage to residential property and over-loaded the Wastewater Treatment Plant (WWTP). Such damage is caused by the backup of sewage

of the WWTP. The City Council, therefore, finds it essential to the maintenance of health, minimization of damage to property and to maintain the life and capacity of the WWTP that the provisions of this subchapter be strictly enforced to avoid and minimize these problems in the future.
(Ord. 429, passed 8-24-00; Am. Ord. passed 11-26-13)

§ 51.36 DEFINITION AND METHOD.

(A) No water from any roof, surface, ground, sump pump, footing tile, swimming pool or other natural precipitation shall be discharged into the sanitary sewer collection system. Dwellings, including new housing construction or houses under construction, and other buildings and structures which require, because of the infiltration of water into basements, crawl spaces and the like, a sump pump system to discharge water shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer collection system. A permanent installation shall be one which provides for a year-round discharge connection to the city subdrain/storm sewer system. If there is no subdrain available, the surface discharge point shall be located no closer than four feet from the curb or as approved by the city. The discharge connection shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge and, if connected to the city subdrain/storm sewer line, include a check valve.

(B) A sump pump will be allowed to have a surface discharge line when city subdrain is available if a gravity footing drain connection has been made. This secondary sump pump connection is only allowed if a gravity footing connection to the city's subdrain/storm sewer system has been made and approved by the city. The secondary sump pump connection is only intended to serve as a back-up to the city's subdrain/storm sewer system.
(Ord. 429, passed 8-24-00; Am. Ord. passed 11-26-13)

§ 51.37 DISCONNECTION.

Effective August 24, 2000, any person, firm or corporation having a roof, surface, ground, sump pump, footing tile or swimming pool now connected and/or discharging into the sanitary sewer system shall disconnect and/or remove the same. Any disconnects or openings in the sanitary sewer shall be closed or repaired in a manner as approved by the City Engineer or his or her representative.
(Ord. 429, passed 8-24-00; Am. Ord. passed 11-26-13)

§ 51.38 INSPECTION.

Every person owning improved real estate or contractors/builders who are building a house within Byron that discharges into the city's sanitary sewer system or on the ground shall allow an employee of the city or its designated representative to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. Any person refusing to allow his or her property to be inspected within 14 days of the date city employees or their designated representatives are

denied admittance to the property shall immediately become subject to the surcharge hereinafter provided for. Any owner of property or contractor/house builder found to violate this subchapter shall make the necessary changes to comply with the subchapter and furnish proof of the changes to the city within 30 days from the date the violation was identified.
(Ord. 429, passed 8-24-00; Am. Ord. passed 11-26-13)

§ 51.39 FUTURE INSPECTIONS.

At any future time, if the city has reason to suspect that an illegal connection may exist in a premises, the owner, by written notice, shall comply with the provisions of § 51.38.
(Ord. 429, passed 8-24-00; Am. Ord. passed 11-26-13)

§ 51.99 PENALTY.

(A) Whoever shall violate any provision of this chapter for which no specific penalty is provided shall be punished as set forth in § 10.99 of this code of ordinances.

(B) (1) Any person found to be violating any provision of §§ 51.01 *et seq.* or §§ 51.20 *et seq.*, except § 51.24, shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(2) Any person who shall continue any violation beyond the time limit provided for in subsection (1) of this division shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount not exceeding $100 for each violation. Each day in which any such violation occurs shall be deemed a separate offense.

(3) Any person violating any of the provisions of §§ 51.01 *et seq.* or §§ 51.20 *et seq.* shall become liable to the city for any expense, loss or damage occasioned the city by reason of such violation.
(Ord. 144, passed 12-18-96)

(C) A surcharge of $100 per day is imposed by invoice and/or added to every sewer billing mailed on and after August 24, 2000 to property owners or to the contractor/builder of a new house which are not in compliance with §§ 51.35 *et seq.* The surcharge will be levied daily against those properties found not to be in compliance with §§ 51.35 *et seq.* until the property has been certified by the City Engineer or his or her representative that the property is in compliance. The surcharge will be levied against the property owner and/or contractor/builder of a new house on the thirty-first day after notice of the violation has been provided to the owner/contractor/builder. Should an individual who has been notified

of noncompliance with §§ 51.35 *et seq.*, and has corrected that noncompliance, be found that his or her sump pump system is out of compliance with §§ 51.35 *et seq.* a second time will be fined $100 a day commencing upon the day he or she is found to be in noncompliance with §§ 51.35 *et seq.* There shall be no grace period for bringing the system into compliance.
(Ord. 429, passed 8-24-00; Am. Ord. passed 11-26-13)